

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTINE CHEN, MICHAEL NGUYEN, and all other
similarly situated employees of SS&C,

Plaintiffs,

-v-

SS&C TECHNOLOGIES, INC.,

Defendant.

CIVIL ACTION NO.: 22 Civ. 2190 (JPC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

In a letter dated December 27, 2022 (the “Letter”), the parties advised the Court that:

(i) on November 23, 2022, Defendant SS&C Technologies, Inc. (“SS&C”) served a non-party subpoena in the Southern District of Florida on Comvest Partners, the current employer of Plaintiff Christine Chen (“Chen”) (the “Comvest Subpoena”); (ii) Chen intends to file, but has not yet filed, a motion to quash the Comvest Subpoena (the “Comvest Motion”); (iii) Chen filed in the U.S. District Court for the Southern District of Florida (the “Florida Court”) a motion “to transfer the Comvest Subpoena related dispute” to this Court (the “Transfer Motion”); (iv) the Florida Court directed SS&C to respond to the Transfer Motion by December 28, 2022; (v) Chen will file the Comvest Motion in the Florida Court by December 29, 2022, (vi) on December 19, 2022, SS&C noticed, but did not serve, a non-party subpoena on Blackstone Inc., the current employer of Plaintiff Michael Nguyen (“Nguyen,” with Chen, “Plaintiffs”) (the “Blackstone Subpoena”), and (vii) Nguyen intends to file a motion to quash the Blackstone Subpoena (the “Blackstone Motion,” with the Comvest Motion, the “Anticipated Motions”). (ECF No. 68). In the Letter, the parties ask the Court to set SS&C’s deadlines to oppose the Anticipated Motions, neither of which

Plaintiffs have filed and one of which remains in the Florida Court's jurisdiction and is not yet before this Court. (Id. at 2 (the "Request").)

The Request is DENIED as premature and without prejudice, and the Court orders as follows:

1. Within **one (1) business day** of the Florida Court's ruling on the Transfer Motion, Plaintiffs shall notify this Court of that ruling.
2. The parties may renew the Request as to the Comvest Motion if it is transferred to this Court.
3. The parties may renew the Request as to the Blackstone Motion once Nguyen files that motion.

Dated: New York, New York
December 28, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge